

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR 22 1997

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 97-65
Table of Allotments,)	RM-9002
FM Broadcast Stations)	
(Chewelah, Washington))	

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

REPLY COMMENTS OF UPPER COLUMBIA MEDIA ASSOCIATION

Upper Columbia Media Association ("UCMA"), by counsel, hereby submits Reply Comments in support of the Comments and Counterproposal filed in the above-identified proceeding by LifeTalk Broadcasting Association ("LifeTalk") on April 7, 1997. UCMA is the licensee of FM station KEEH, Spokane, Washington.

In its Notice of Proposed Rule Making (NPRM), DA 97-301, (released February 14, 1997), in this proceeding, the FCC proposed to allot Channel *283C3 to Chewelah, Washington. KEEH operates on first-adjacent Channel 284A. The proposed allotment includes a site restriction of 4.9 kilometers north of Chewelah in order to protect KEEH and to comply with the distance separation criteria of Section 73.207 of the Commission's rules.

In its Comments and Counterproposal, LifeTalk supported the concept of allotting a noncommercial FM channel to Chewelah, but counterproposed that Channel *274C3 should be substituted for Channel *283C3. LifeTalk said that the opera-

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tion of a new station on Channel 283C3 in the Chewelah area would inhibit reception of KEEH's signal on the first adjacent channel in that region where KEEH has an existing audience. The Chewelah area is beyond KEEH's 1 mV/m contour and thus beyond the area in which KEEH can expect to be protected from interference from another full service station. However, LifeTalk posited the theory that the public interest would be served if an alternate channel (if available) could be used for the new Chewelah station so that the residents of the area could enjoy the largest possible range of radio signals available.

As the licensee of KEEH, UCMA supports LifeTalk's Counter-proposal. KEEH has a significant audience in and provides a significant service to the area which would be covered by a new station in Chewelah. The Chewelah area includes some 33 regular financial supporters of KEEH. ^{1/} There are 111 households in the area who have requested and are receiving the KEEH program guide. The area is also home to five program underwriters for KEEH (including the station's largest underwriter). These indicators demonstrate that KEEH is providing a valued service to residents of the Chewelah area.

UCMA acknowledges that the population and area in question are beyond the protected contours for KEEH. LifeTalk did not propose nor is UCMA advocating any change in the Commission's approach to separation criteria or protection standards for

^{1/} KEEH operates as a noncommercial station.

FM stations. Nonetheless, KEEH is obviously providing a service of interest to and appreciated by the residents of that area. Under these circumstances, where an alternate channel is available for the establishment of a new station in the area, the public interest would be served by utilizing the alternate channel so that the existing service to the area could continue uninterrupted. This would allow the local residents to enjoy the widest possible selection of programming services. The proposed new local service could be established without blocking reception of the more distant services already in use by the community. This would be consistent with the Commission's long-standing policy to foster the widest possible selection of program services where possible.

For these reasons, UCMA urges the Commission to adopt the Counterproposal submitted by LifeTalk and to allot a channel to Chewelah other than Channel 283C3.

Respectfully submitted,

UPPER COLUMBIA MEDIA ASSOCIATION

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April 22, 1996

CERTIFICATE OF SERVICE

I, Donald E. Martin, hereby certify this 22nd day of April, 1997, that I have caused a copy of the foregoing document to be served by United States mail with first class postage prepaid upon the following:

Paul Moore, President
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Donald E. Martin